

Agenda Item 1



California State Board of Pharmacy

1625 N. Market Blvd, N219, Sacramento, CA 95834

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STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

Date: August 29, 2012

To: Communication and Public Education Committee

Subject: Agenda Item 1 – Presentation and Possible Action to Adopt the Final New Notice to Consumers Poster (New 16 Cal. Code Reg. Section 1707.6)

At the committee meeting held on July 17, members were presented with several new poster designs created by the Department of Consumer Affairs Office of Publications, Design and Editing.

After discussion by committee members and the public, a final poster design was selected. The poster incorporates suggestions to add numbering to the questions to attract the reader's attention and a new and larger logo block and state seal.

The posters will be a standard poster size of 18" x 24." We will print 15,000 posters in the first batch, which will be mailed to all California pharmacies. The cost for printing and mailing the posters is currently being estimated.

The board will also need to translate the posters in various languages. These will be formatted into the same design and made available to pharmacies and others who wish a copy.

The text that is printed on the poster is pursuant to 16 California Code of Regulations section 1707.6 is:

§ 1707.6. Notice to Consumers.

(b) The notice shall contain the following text:

NOTICE TO CONSUMERS

California law requires a pharmacist to speak with you every time you get a new prescription.

You have the right to ask for and receive from any pharmacy prescription drug labels in 12-point font.

Interpreter services are available to you upon request at no cost.

Before taking your medicine, be sure you know: the name of the medicine and what it does; how and when to take it, for how long, and what to do if you miss a dose; possible side effects and what you should do if they occur; whether the new medicine will work safely with other medicines or supplements; and what foods, drinks, or activities should be avoided while taking the medicine. Ask the pharmacist if you have any questions.

This pharmacy must provide any medicine or device legally prescribed for you, unless it is not covered by your insurance; you are unable to pay the cost of a copayment; or the pharmacist determines doing so would be against the law or potentially harmful to health. If a medicine or device is not immediately available, the pharmacy will work with you to help you get your medicine or device in a timely manner.

You may ask this pharmacy for information on drug pricing and use of generic drugs.

Agenda Item 2



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Date: August 29, 2012

To: Communication and Public Education Committee

Subject: Agenda Item 2 – Video Option of the New Notice to Consumers (16 California Code of Regulations Section 1707.6)

The Notice to Consumers video has been edited by the Consumer Affairs Office of Publications, Design and Editing to incorporate suggestions from the July committee meeting.

The video will include design elements from the new Notice to Consumers poster to further reinforce the Board's brand. The video will also be edited to reflect a greater diversity among the photo subjects. A price quote has been requested for translating the video into five additional languages.

The video will be available in DVD format for any pharmacy that requests it and will be available on the board's website.

The requirements for the video format are specified below:

§ 1707.6. Notice to Consumers.

(a) In every pharmacy there shall be prominently posted, in a place conspicuous to and readable by a prescription drug consumer, a notice containing the text in subdivision (b). Each pharmacy shall use the standardized poster-sized notice provided or made available by the board, unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval. As an alternative to a printed notice, the pharmacy may also or instead display the notice on a video screen located in a place conspicuous to and readable by prescription drug consumers, so long as:

- (1) The video screen is at least 24 inches, measured diagonally;
- (2) The pharmacy utilizes the video image notice provided by the board;
- (3) The text of the notice remains on the screen for a minimum of 60 seconds; and
- (4) No more than five minutes elapses between displays of any notice on the screen, as measured between the time that a one-screen notice or the final screen of a multi-screen notice ceases to display and the time that the first or only page of that notice re-displays.

The pharmacy may seek approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

Agenda Item 3



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To: Communication and Public Education Committee

Subject: Agenda Item 3 – Presentation of Final Interpreter Services Notice

The “Point to Your Language” mini poster has incorporated suggestions to increase the size of the board logo and state seal. Its completed size is that of a letter-sized piece of paper (8.5” x 11”). It is ready for release publicly.

The poster highlights the 12 primary languages specified in the regulation and in use in California -- Arabic, Armenian, Cambodian, Cantonese, Farsi, Hmong, Korean, Mandarin, Russian, Spanish, Tagalog and Vietnamese. The message is that interpreters will be provided if desired at no charge.

The relevant section of the new Notice to Consumers regulation is:

1707.6 (c) Every pharmacy, in a place conspicuous to and readable by a prescription drug consumer, at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, shall post or provide a notice containing the following text:

Point to your language. Interpreter services will be provided to you upon request at no cost. This text shall be repeated in at least the following languages: Arabic. Armenian. Cambodian. Cantonese. Farsi. Hmong. Korean. Mandarin. Russian. Spanish. Tagalog, and Vietnamese.

Each pharmacy shall use the standardized notice provided or made available by the board. unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

The pharmacy may post this notice in paper form or on a video screen if the posted notice or video screen is positioned so that a consumer can easily point to and touch the statement identifying the language in which he or she requests assistance. Otherwise, the notice shall be made available on a flyer or handout clearly visible from and kept within easy reach of each counter in the pharmacy where dangerous drugs are dispensed or furnished, available at all hours that the pharmacy is open. The flyer or handout shall be at least 8 1/2 inches by 11 inches.

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August 29, 2012

To: Members, Communication and Public Education Committee

Subject: Agenda Item 4 — Securing Public Comments on the New Label Design and Interpreter Requirements

The board has a mandated report to the Legislature due January 1, 2013, on implementation of the patient-centered labels. Efforts to collect data for this report began in January 2012, and have focused on information collected during board inspections on labels in use and availability of interpreters. An updated report on the data collected for this portion of the report will be shared during the meeting.

The board continues to collect and review consumer-directed surveys regarding the new prescription labels and whether additional changes would be beneficial. Board staff has attended health fairs and Senior Scam Buster seminars to solicit feedback via the survey. We are also seeking the assistance of language advocates to assist in collecting this information from a diverse group of consumers.

The current consumer survey asks the following questions:

- Are your prescription container labels easy to read?
- What changes would make them better?
- What information on the label is most important to you?
- Are the directions for taking the medicine clear and easy to understand?
- Do you know why you take each of your prescription medicines?
- Would you like the general reason why you take the medicine to appear on the label (e.g., for pain, for infection, etc.)?

The board also committed that by December 31, 2013, it would reconsider all requirements put in place as part of the patient-centered labeling and interpreter requirements to evaluate if changes in the requirements are needed.

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Date: August 29, 2012

To: Communication and Public Education Committee

Subject: Agenda Item 5 – Update on the Board’s Public Education Materials

Staff has started work on the new board website. The site will reflect a new design and color palette, as well as new site architecture that will be intuitive and easy to navigate. All content on the site will be updated. Outdated content will be removed and refreshed, and new consumer education materials will be developed and added as needed to address current and relevant public pharmaceutical issues.

The Consumer Affairs Office of Design, Publications and Editing has started work to create a “brand” for the board’s public and consumer education materials. This will include a menu of standardized logo blocks and a consistent design look-and-feel for all printed publications and consumer education materials. The board’s website will also incorporate elements of the branding campaign.

Two national events are planned in coming months that will provide an opportunity for the Board to collaborate on public relations and consumer outreach activities.

- The Partnership at Drugfree.org is sponsoring “The Medicine Abuse Project,” a national media and awareness campaign to take place from September 23-29. The campaign is an intensive week-long effort to raise awareness about the medicine abuse problem among the general public.
- American Pharmacists Month is scheduled for the month of October, where in prior years, the focus of the campaigns have been on Talk to a Pharmacist Month. It may be timely for us to promote our new notice to consumers, interpreter availability and new label designs as part of these promotions. There is also another DEA-sponsored consumer drug back day planned for the end of September.

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To: Members, Communication and Public Education Committee

Subject: Agenda Item 6 – Update on *The Script*

The August 2012 issue of *The Script* is currently undergoing legal review. We hope to be able to release it in September. The issue will focus on application of laws and the forthcoming e-pedigree requirements. It also lists the multiple disciplinary decisions taken by the board since the beginning of 2012.

The next issue, which we hope to publish in January, will focus on items related to the patient-centered labeling project, specifically:

1. the new Notice to Consumers poster that should be released and mailed to pharmacies in early fall.
2. the option to use the video format of the Notice to Consumers (and how to obtain the video),
3. the mini-poster notice of the availability of interpreters, and
4. how to request an exemption to display a pharmacy's own video or interpreter availability mini-poster.

As is usual for the January issue, the emphasis will be on new California pharmacy law.

Agenda Item 7



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To: Communication and Public Education Committee

Subject: Agenda Item 7 – Outreach Activities

State government continues to be subject to a travel freeze that restricts all but the most essential travel. Moreover, the Department of Consumer Affairs must still preapprove all travel where a travel claim will be submitted. This has restricted board operations in all areas, including public and licensee outreach.

Public and licensee outreach activities performed during the second quarter of fiscal year 2012 include:

- May 11 – Executive Officer Herold provides the commencement address to USC's 2012 graduating class of the School of Pharmacy
- May 17 – Executive Officer Herold provides a webinar on California's e-pedigree requirements hosted by RfXcel
- June 19 -- Executive Officer Herold provides a webinar on California's e-pedigree requirements hosted by Axway
- June 20 – Inspector White provides a CE presentation on the board's enforcement program to pharmacists in Pasadena
- July 10 – Executive Officer Herold provides a webinar on California's e-pedigree requirements hosted by Mettler
- July 15 – Executive Officer Herold provides a webinar on California's e-pedigree requirements and problems identified by the board in the supply chain, hosted by the University of Florida
- July 18 – Supervising Inspector Hunt provides a presentation to the Diablo Society of Health System Pharmacists and the Contra Costa Pharmacists Association CE Dinner on "New Pharmacy Laws for 2012"
- July 18 – Inspector Kazebee provides a presentation on "Surviving as the Pharmacist-in-Charge" at a CE session for 39 pharmacists in Orange County
- July 25 – Executive Officer Herold testifies before a federal congressional committee on board enforcement activities regarding pharmacies and wholesalers manipulating drug shortages for profit

- July 27 - Supervising Inspector Hunt delivered a presentation on consumer awareness at Assemblymember Mary Hayashi's 3rd Annual Senior Health Fair in Hayward. Ms. Hunt also collected consumer surveys soliciting feedback regarding the new Patient-Centered Labels.
- August 13 and 22 – Public Information Officer Jamison staffs a booth at two Senior Scam Stopper seminars hosted by the State Contractors' Licensing Board. Both seminars were very well attended and Ms. Jamison collected a number of consumer surveys on the new patient-centered labels.